

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ERIC MATTHEW SCHOENBERG,

Plaintiff,

v.

WINDSTAR CRUISES; and
XANTERRA,

Defendants.

C20-1485 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Within fourteen (14) days of the date of this Minute Order, plaintiff shall show cause why Windstar Cruises Marshall Islands, LLC should not be joined or substituted for Windstar Cruises and Xanterra as the proper defendant. See Answer (docket no. 10).

(2) The motion to withdraw as counsel of record for plaintiff Eric Schoenberg, brought by James McCanna of McCanna Law, PLLC, docket no. 14, is DENIED without prejudice. Mr. McCanna has not filed the requisite certification that a copy of his motion to withdraw (as opposed to a separate letter) was served on plaintiff as required by Local Civil Rule 83.2(b)(1). Indeed, Mr. McCanna has indicated that the letter he sent to his client was returned to his office, although the proof that he intended to provide was not attached to his declaration. See McCanna Decl. at ¶ 17 & Ex. B (blank) (docket nos. 19-1 & 19-3). Moreover, to the extent that Mr. McCanna has concerns about plaintiff's well-being and/or mental state, the Court would be remiss in permitting Mr. McCanna to withdraw without first conducting a hearing to determine whether plaintiff is capable of proceeding pro se in this matter.

1 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
2 record.

3 Dated this 2nd day of April, 2021.

4 William M. McCool
5 Clerk

6 s/Gail Glass
7 Deputy Clerk